

REMARKS

The present application includes pending claims 1-31, all of which have been rejected. Claims 2-6, 8-22 and 24-31 have been amended to clarify aspects of the inventions.

The specification was objected to because of incomplete information in paragraph [0002]. The Applicants have amended this paragraph. No new matter has been added.

The specification was objected to for allegedly failing to provide proper antecedent basis for the claimed subject matter. The Applicants respectfully note, however, that the various types of processors recited in claim 31 are discussed in paragraph [0091] of the specification. In addition, the Applicants submit that it is known in the art what the terms “media peripheral,” “computer processor,” and a “storage system” mean. Therefore, the Applicants submit that there is no need for further clarification of these terms. With regard to the terms “media exchange software processor” and “media exchange server processor”, the Applicants submit that the specification is sufficiently informative as to the meaning of these terms. For example, the Examiner is referred to Figures 1A-3 and the corresponding description in the specification for additional information on what is meant by these terms. Thus, for at least these reasons, the Applicants respectfully request reconsideration of the objection to the specification.

Claim 11 was objected to because of a minor drafting error. The Applicants have amended claim 11 to overcome this objection.

Claims 1-10 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 2002/0120925 (“Logan”). Claims 11-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of U.S. 2003/0122966 (“Markman”). The Applicants respectfully traverse these rejections for at least the following reasons:

I. Logan Does Not Anticipate Claims 1-10

Claim 1 recites, in part, “establishing a **personal television channel**; . . . and associating said produced media program with said **established personal television channel**.” As such, the claim is clear that a personal television channel is established, not merely a library of media content that a user and/or others can download.

The Office Action cites Logan at [0107], lines 1-3 as disclosing “establishing a personal television channel.” *See* November 14, 2007 Office Action at page 4. This portion of Logan recites, however, the following:

Community Markup (CM) may be created as a byproduct of the user's use of locally generated metadata for creating a **personalized program library**. For example, the user may record a lengthy radio broadcast from a favorite station and then selects particular songs for inclusion **in a personal library**, either by using markup signals provided by an remote markup source, or by using the available editing tools at 135, the songs which are identified may contain DJ talkover at the beginning or end of the song. In that case, the user may be employ a one-step-editing feature that permits the user to listen to a song and, when a transition occurs from talk to music, or visa versa, they can simply click on a "scissors" button which moves the start-point or end point of play, for that song, so that, the next time it's played, the new start and/or end point takes effect. Importantly, the talkover is not erased and the play marker is merely moved. If the user did not time very well the use of the scissors, he can hit an "undo" button and redo the clipping process.

Logan at [0107] (emphasis added). Thus, Logan is clear that a “personalized program library” is created. This portion of Logan does not describe, teach or suggest, however, that the user broadcasts television shows or that the user establishes a personalized television channel. Instead, it merely discloses that the user may record and edit radio broadcasts and select particular songs for inclusion in a personal library.

Indeed, Logan is clear that the “Community Markup” is used to “allow users to join a community whereby they will be able to upload their improved markups to a central server at 113 so that other users may access them.” *See id.* at [0102]. In short, Logan discloses a system and method in which a user may record specific programs and save them in a **personal library**, at which point the programs may be uploaded by those in a community so that the recorded programs may be marked up. *See id.* at [0100] –[0107] and [0288].

The Applicants respectfully submit, however, that the portion of Logan relied on by the Office Action does not describe, teach or suggest “establishing a **personal television channel**; ... and associating said produced media program with said **established personal television channel**,” as recited in claim 1. Thus, for at least this reason, the Applicants respectfully request reconsideration of the rejection of claims 1-10 as being anticipated by Logan.

II. The Rejection Of Claims 11-31

The Applicants next turn to the rejection of claims 11-31 as being unpatentable over Logan in view of Markman. Claim 11 recites, in part, “**establishing a personal television channel**; . . . and associating said produced media program **with said established personal television channel**.” The Applicants respectfully request reconsideration of the rejection of claims 11-20 for at least the reasons discussed above with respect to claim 1.

Similarly, claim 21 recites, in part, “at least one processor for establishing a personal television channel; . . . and said processor associates said produced media program with said established personal television channel.” The Applicants respectfully request reconsideration of the rejection of claims 21-31 for at least the reasons discussed above with respect to claim 1.

III. Conclusion

In general, the Office Action makes various statements regarding claims 1-31 and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a future rejection).

The Applicants respectfully request reconsideration of the objections and rejections for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: February 14, 2008

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